

## PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Richard Edwards  
DOCKET NO.: 05-26689.001-C-2  
PARCEL NO.: 27-26-317-028-0000

The parties of record before the Property Tax Appeal Board are Richard Edwards, the appellant, by attorney Michael Gertner of Michael D. Gertner, Ltd., Chicago; and the Cook County Board of Review

The subject property is improved with a one-story, seven unit, masonry constructed strip center containing 11,500 square feet of gross building area. The building is approximately 14 years old. The improvements are located on a 48,791 square foot parcel in Tinley Park, Orland Township, Cook County.

The appellant in this appeal submitted a narrative appraisal to demonstrate that the subject property was improperly assessed. The appraisal contained an estimate of value for the subject property of \$575,000 as of January 1, 2004. The appellant also indicated the subject property in the instant appeal was the subject matter of an appeal before the Property Tax Appeal Board for the prior year under Docket No. 04-26840.001-C-1. In that appeal, the Property Tax Appeal Board issued a decision based on an agreement of the parties reducing the assessment to \$227,240. Based on this record the appellant requested the subject's assessment be reduced to \$227,240.

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property.

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	120,513
IMPR.:	\$	106,727
TOTAL:	\$	227,240

Subject only to the State multiplier as applicable.

PTAB/SMW/05-26689/9-07

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds a reduction in the assessment of the subject property is warranted.

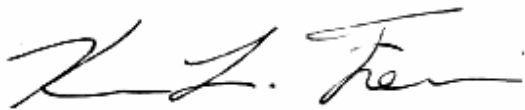
The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is justified based on the evidence in the record.

In support of the overvaluation issue the appellant submitted an appraisal estimating the property had a market value of \$575,000 as of January 1, 2004. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. The Board further finds subject property was the subject matter of an appeal before the Property Tax Appeal Board for the prior year under Docket No. 04-26840.001-C-1 wherein the Property Tax Appeal Board issued a decision reducing the assessment to \$227,240 based on an agreement of the parties. Based on this record Board finds that the assessment as established in the prior year's appeal, which is the same as the appellant's request herein, is appropriate.

This is a final administrative decision of the Property Tax Appeal Board are subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: September 28, 2007



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment

Docket No. 05-26689.001-C-2

of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.